

Lynchburg Division

Case No. 05-61589

Adv. No. 05-06041

MEMORANDUM and ORDER

remand.

Facts

sounding in contract and related claims against the above named defendants in the Circuit Court

for the Country of Green Lake in the State of Wisconsin. On February 9, 2005, defendant Boss Management Group, Inc., filed a chapter 7 petition with the Clerk of this Court. Boss Management Group, Inc., also filed a notice of removal of the Wisconsin Suit to this court.

A party may remove any claim or cause of action to the district court for the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under section 1334 of title 11. 28 U.S.C. § 1452(a). The County of Green Lake is located in the Eastern District of Wisconsin. 28 U.S.C. § 130(a). The Notice of Removal should have been filed in the Eastern District of Wisconsin. Accordingly, the Wisconsin Suit is not properly removed to this court and shall be remanded.

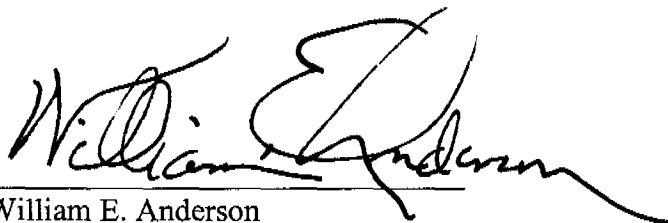
ORDER

This action shall be and hereby is remanded to the Circuit Court for the County of Green Lake in the State of Wisconsin.

So ORDERED.

Upon entry of this Memorandum and Order the Clerk shall forward copies to Paul A. Dirkse, Counsel for the plaintiff, and Gary M. Bowman, counsel for the defendant Boss Management Group, Inc.

Entered on this 13 day of May 2005.


William E. Anderson
United States Bankruptcy Judge